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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/824,781

04/04/2001

Marko Vanska

P4201US00

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05/26/2009

DITTHAVONG MORI & STEINER, P.C.

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT

PAPER NUMBER

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MAIL DATE

DELIVERY MODE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: MARKO VANSKA,
IAN NORDMAN,
MIKA KLEMETTINEN
HANNU TOIVONEN,
ANTTI SORVARI,
YKA HUHTATA, AND
JUKKA-PEKKA

Application No. 09/824,781
Technology Center 2446

Mailed: May 22, 2009

Before DELORES LOWE, *Review Team Paralegal*
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 29, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

APPEAL BRIEF, GROUNDS OF REJECTION

A review of the file finds that the grounds of rejection of the claims as provided in the Appeal Brief filed October 3, 2007 under the heading “Grounds of rejection to be reviewed on appeal” is unclear and/or is not consistent with the grounds of rejection of claims of record. The grounds of rejection of the claims as provided in the Appeal Brief must be consistent with the last Office action of record, including any Advisory action responsive to any after final submissions. Each Grounds of rejection to be reviewed on appeal must be identified.

A review of the last Office action, including any mailed Advisory Action(s) finds that claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doi in view of Lunsford in view of Rajchel et al. (U.S. Patent No. 6,496,931); whereas Appellants have not indicated the grounds of rejection of claim 20. Correction of the Grounds of rejection to be reviewed on appeal for all claims is required.

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to hold the Appeal Brief filed on October 3, 2007 defective;
- 2) notify Appellants to file a paper properly addressing the Grounds of rejection of all claims;
- 3) for such further action as may be appropriate.

Application No. 09/824,781

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/DAL/

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